

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Pacifica Broadcasting Company)	File No.: EB-03-SE-289
)	NAL/Acct. No. 200432100005
Licensee of Noncommercial Educational)	Facility #51241
Television Station KALO (TV), Honolulu,)	FRN 0004075040
Hawaii)	
)	

FORFEITURE ORDER

Adopted: May 6, 2004**Released: May 10, 2004**

By the Chief, Enforcement Bureau:

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of four thousand dollars (\$4,000) to Pacifica Broadcasting Company (“Pacifica”), licensee of noncommercial educational television Station KALO (TV) (formerly KAIE (TV)), Honolulu, Hawaii, for willful and repeated violation of Section 301 of the Communications Act of 1934, as amended, (“*Act*”) and Section 73.1690 of the Commission’s Rules (“*Rules*”).¹ The noted violation involves Pacifica’s broadcasting from an unauthorized transmitter site.

2. On October 30, 2003, the Enforcement Bureau issued a *Notice of Apparent Liability for Forfeiture* (“*NAL*”) in the amount of \$4,000 to Pacifica.² Pacifica has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED** that, pursuant to Section 503(b) of the Act,³ and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,⁴ Pacifica Broadcasting Company **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$4,000 for willfully and repeatedly violating Section 301 of the Act and Section 73.1690 of the Rules.

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.⁵ Payment shall be made by mailing a check or similar instrument, payable to the order of the Federal Communications Commission,” to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200432100005 and FRN 0004075040.

¹ 47 U.S.C § 301; 47 C.F.R. § 73.1690.

² *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200432100005 (Enf. Bur., released October 30, 2003).

³ 47 U.S.C. § 503(b).

⁴ 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

⁵ 47 U.S.C. § 504(a).

Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.⁶

5. **IT IS FURTHER ORDERED** that a copy of this *Order* shall be sent by first class mail and certified mail return receipt requested, to Pacifica Broadcasting Company, 875 Waimanu Street, Suite 110, Honolulu, Hawaii 96813, and a copy to its counsel, Harry F. Cole, Esq., Fletcher, Heald & Hildreth, P.L.C., 11th Floor, 1300 North 17th Street, Arlington, Virginia 22209-3801.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

⁶ See 47 C.F.R. § 1.1914.